

Proposal to

LKC

Submitted by

VESTAL BUILDERS, INC.

To Provide
Construction And
Construction Management Services

VESTAL BUILDERS, INC.



P.O. Box 542004
Grand Prairie, Texas 75054
(817) 516- 0103 (*Office*)
(817) 516-0456 (*fax*)

**GOVERNMENT
EXHIBIT**

1289

3:07-CR-0289-M

VESTAL BUILDERS, INC.



P.O. Box 542004
Grand Prairie, Texas 75054
(817) 516- 0103 (*Office*)
(817) 516-0456 (*fax*)

February 11, 2005

Mr. D'Angelo Lee
LKC
1409 South Lamar Suite 703
Dallas, TX 75225

Dear Mr. Lee:

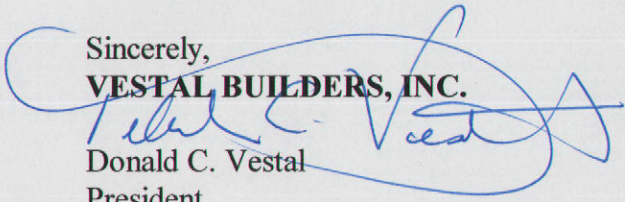
Thank you for allowing Vestal Builders, Inc. to introduce its construction and construction management services to **LKC**. We are prepared to commit the quality service and construction crew necessary to ensure your projects are completed on time and within budget.

A strong and integral foundation of Christian principles maintains order, wisdom and integrity throughout the corporate structure of VBI. Our goal is to be an extension of your staff in order to ensure that your project flows smoothly. To accomplish this goal, we provide a team of experienced project managers, assisted by the right support partners—better known as **Vestal Builders, Inc.**

The scope of our construction experience is extensive, ranging from high rise buildings to underground tunnel construction. We have successfully completed, within budget, numerous projects ranging from \$5 thousand to \$165 million. Twenty years experience has greatly enhanced our construction expertise, management experience, and quality services. The breadth of the experience and qualifications of our team of professionals are detailed in the Key Personnel Section of this proposal.

Mr. Lee, Vestal Builders, Inc. is committed to bringing to all your projects the quality construction and customer service your organization deserves. Should you have any questions, please contact me at (817) 516-0103. We look forward to hearing from you soon.

Sincerely,
VESTAL BUILDERS, INC.


Donald C. Vestal
President





P.O. BOX 542004 • GRAND PRAIRIE, TX 75054

OFFICE: (817) 516-0103 • FAX (817) 516-0456

Sunday, February 13, 2005

Odyssey Residential Construction, LP
1200 Three Lincoln Center
5430 LBJ Freeway
Dallas, TX 75240

PROPOSAL

Gentlemen:

We propose to furnish all labor, materials, and equipment to construct as an independent contractor, the following described work:

DESCRIPTION AND LOCATION:

Odyssey at Pecan Grove Apartments
Simpson Stuart Road
Dallas, Texas
Architect: Galier.Tolson.French Design Associates, LLC
Structural Engineer: Parkins, Perkins, Olsen Inc.
Civil Engineer: R.G. Miller Engineers

Foundations					
Building Number/Type	slab size	\$/foot	\$/Blding	# of bldgs	\$
1/C	10,569	\$ 5.85	\$ 61,829	1	\$ 61,829
2/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
3/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
4/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
5/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
6/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
7/B	10,448	\$ 5.85	\$ 61,121	1	\$ 61,121
8/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
9/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
10/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
11/B	10,448	\$ 5.85	\$ 61,121	1	\$ 61,121
12/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
13/B	10,448	\$ 5.85	\$ 61,121	1	\$ 61,121
14/D	9,795	\$ 5.85	\$ 57,301	1	\$ 57,301
15/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
16/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
17/B	10,448	\$ 5.85	\$ 61,121	1	\$ 61,121
18/A	10,096	\$ 5.85	\$ 59,062	1	\$ 59,062
CLUBHOUSE	4,515	\$ 5.85	\$ 26,413	1	\$ 26,413
Garage G1	1,660	\$ 5.85	\$ 9,711	7	\$ 67,977
Garage G2	1,753	\$ 5.85	\$ 10,255	1	\$ 10,255
Garage G3	1,247	\$ 5.85	\$ 7,295	3	\$ 21,885
Garden Pavillion	353	\$ 9.35	\$ 3,301	1	\$ 3,301
Total Foundations	192,836				\$ 1,202,182

BID QUALIFICATIONS

Project Name: Pecan Grove Apartments
Dallas, Texas

- All grade beams to be trenchable with TF 300 Side boom trencher
- Concrete figured @ 3000 PSI w/ Ash
- Excludes any extended Grade Beams
- Excludes any rock excavation
- All paving figured w/ #3's @ 18" o.c.e.w. w/ Saw joints figured @ 15' o.c., w/ hot pour joint sealant.
- Expansion joints @ 90' o.c. w/ hot pour joint sealant
- Includes saw of concrete and existing approaches and C & G for new approaches only.
- Demolition and haul off by others.
- Barricades figures for 1 month for our work
- We exclude any grooved, patterned, or colored concrete
- We exclude any surveying or backfill of curbs
- We exclude any city walks (see alternate for city walk pricing)
- Light pole bases are subject to change upon quantity confirmation.

THE FOLLOWING ARE SPECIFICALLY INCLUDED FOR THE ABOVE

- Batter boards, forms, and accessories
- Reinforcement and accessories
- Anchor Bolts furnished and installed @ 4' on center at slab perimeter (1/2" x 9")
- Concrete pumping @ building slabs only.

THE FOLLOWING ARE SPECIFICALLY EXCLUDED FOR THE ABOVE

- Site walls or footings
- Extended Grade Beams @ perimeter
- Exposed aggregate
- Dirt work (sub grade to be + or - 1/10)
- Soil erosion protection
- Excavation or drilling of rock if encountered
- De-watering as a result of subsurface water
- Casing of piers
- Surveying, engineering, layout—building corners, back of curbs, and blue tops by others
- Saw cutting, demolition or haul off of existing concrete (except as noted)
- Pavers
- Concrete temperature control (heating or ice)
- Masonry reinforcing
- Masonry grouting
- Sawed control joints at foundation
- Embedded materials (anchor bolts, pipe bollards, embedded plates, angles, hold downs, etc.)
except as noted
- Testing by labs
- Permits or fees
- Performance or payment bonds
- Wet curing
- Hardeners or sealers

- Drawings for anchor bolt layout
- Removal of trash or concrete spoils from site (we will place in dumpster or designated area)
- Spoil removal off site
- Backfill with select fill (offsite material)
- Backfill at back of curbs
- Soil poisoning
- PVC for electrical or landscaping sleeves
- Sweeping or washing down of pavement
- Concrete wheel stops
- Pavement markings (stripping or buttons)
- Inlets, drains, catch basins, box culverts
- Stair nosing or sleeves for rails
- Repair of existing underground if damaged
- Grouting of thresholds
- Safety railings or perimeter cables at upper floors, pits, drops, and openings
- Light weight concrete-furnish or install
- Pool decks, mechanical pads or site retaining walls
- Gate tracks (no details)
- Any item not on the Bid Schedule

Alternates:

- | | |
|--------------------------------------------------------|--------------|
| • Price per SQ FT to demo & haul off city walk | \$3.50 SQ FT |
| • Price per SQ FT to replace city walk | \$5.33 SQ FT |
| • Price per LF to saw/demo & haul off of concrete curb | \$15.00 LF |
| • Price per LF to replace concrete curb | \$35.00 LF |

Notes:

- If retainage is held, its is to be funded 30 days after completion of each phase of our work
- Proposal to become part of contract
- All material prices only good through 3-4-04, after that time any increase in price will be paid by contractor or owner including sales tax and markup.

Sincerely,
Vestal Builders, Inc.

Donald C. Vestal
President